

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

WP(C).No. 32656 of 2007(K)

PETITIONER:

RAVEENDRAN, S/O KUNJUKRISHNAN,
ARCHANA, PADINJATTINKARA,
EDAMULAKKAL P.O., KOLLAM DISTRICT.

BY ADV. SRI.C.RAJENDRAN

RESPONDENTS:

1. THE UNION OF INDIA REPRESENTED BY
SECRETARY TO GOVERNMENT,
DEPARTMENT OF EXTERNAL AFFAIRS,
NEW DELHI.
2. THE PASSPORT OFFICER,
PASSPORT OFFICE, KAITHAMUKKU,
THIRUVANANTHAPURAM.
3. STATE OF KERALA, REPRESENTED BY ITS
SECRETARY TO GOVERNMENT,
DEPARTMENT OF HOME AFFAIRS,
THIRUVANANTHAPURAM.

BY GOVT PLEADER SRI. I.V.PRAMOD
ADV. SRI.P.PARAMESWARAN NAIR,ASST.SOLICITOR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION
ON 12/11/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C). NO. 32656 OF 2007

Dated this the 12th day of November, 2007

J U D G M E N T

This writ petition is filed praying for a direction to the 2nd respondent to issue a passport to the petitioner based on an application referred to in Ext.P4 communication. However, petitioner now admits about the pendency of three criminal cases before the Sessions Court, Kottarakkara, as S.C. Nos. 1384/2002, 1575/2002 and 1750/2002. In view of the pendency of these criminal cases the respondent is justified in declining to issue passport in view of the provisions contained in Section 6 (2) (f) of the Indian Passport Act, 1967. However, petitioner made reference to a notification issued by the Govt. of India on 25th August, 1993 granting exemption to citizens against whom proceedings are pending before the criminal court from the rigour of the above section on condition that they produce orders from the court concerned permitting them to depart from India.

2. In view of this, I clarify that it will be open to the petitioner to make an application before the Sessions Court, Kottarakkara, in which event the court will consider the application so made and pass

appropriate orders thereon. On the basis of the order so passed, the petitioner can move the 2nd respondent before whom the application was made by the petitioner for issuance of passport.

The writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE

vps

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